

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
DECEMBER 16, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Vivian Rojas and Anthony W. Cobos. Late Arrival: Daniel S. Power arrived at 9:08 a.m. and Paul J. Escobar arrived at 9:31 a.m. Absent: None. Meeting was called to order at 9:07 and the invocation was given by Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. ***62nd Army Band Appreciation Day***

Members of the Sergeant Major's Academy were formally introduced to the City Council Members.

Sergeant Major Hawkins thanked Representative Cook for his explanation of the City governmental procedure/process and noted that the 42 members of the current Sergeant Major's Academy represented 27 countries. He thanked the Council Members for their service to the City and responded to comments made by Representative Austin.

Motion made by Representative Austin, seconded by Representative Cobos and unanimously carried to delete the discussion and action to defer the HUD funded City loans on 510 and 523 W. Missouri to allow time for LULAC's 501(c)(3) to allow them to attain additional HUD funding to pay off those loans as a CDBO or in another funding program. [Dr. Patricia Ann Monardes, LULAC]

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meetings of December 3, 2002, September 30, 2003, and approval of corrected July 30, 2002.

*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, the Minutes for the Regular City Council Meeting of December 9, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Airport Display Agreement with Insights-El Paso Science Museum providing for the display of a Model of the original 1903 Wright Flyer in celebration of the 100th anniversary of the Wright Brothers' historic first flight at the El Paso International Airport. This Exhibit is made possible by a grant from the City of El Paso Arts and Culture Department and the Texas Commission on the Arts.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

WHEREAS, the Arts & Culture Department of the City of El Paso promotes the arts in El Paso; and

WHEREAS, the Arts & Culture Department puts on various cultural presentations throughout the City, in furtherance of the Department's mission; and

WHEREAS, the Arts & Culture Department desires use of the Chamizal National Memorial for various cultural presentations, in furtherance of its mission; and

WHEREAS, the Chamizal National Memorial is a National Park and requires a Special Use Permit for the use of such park grounds;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute a Special Use Permit on behalf of the City of El Paso's Arts & Culture Department in order to use the Chamizal National Memorial for the promotion of yearly cultural presentations. The cost to the City for such permit is \$2,400.00.

Representative Lozano questioned the dollar amount necessary for EMS services at the Chamizal National Memorial.

Ms. Alejandrina Drew, Arts and Culture Director, explained that the as per the National Park Service regulations EMS must be present due to the large number of people attending the event.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and FRANCISCO JUAREZ, P. AND CANDELARIA JUAREZ for the purchase of the East 75 feet of Lot 1, Block 26, WOODLAWN, El Paso, El Paso County, Texas, also known as 3912 Findley Avenue to be used for the purpose of completing the El Paso Zoo Expansion Project.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Attorney be authorized to negotiate and execute a retention agreement between the City of El Paso and Norman Gordon of the Law Firm of Mounce, Green, Myers, Safi & Galatzan, P.C. to provide all traditional legal services necessary for issuance of City of El Paso Water and Sewer Revenue Bonds Series 2003B.

Representative Lozano questioned Ms. Lisa A. Elizondo, City Attorney, regarding the bond fee and general examination bond fee.

Ms. Elizondo explained the fee schedules.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **GABRIELA MARTINEZ**, to assist the Community Development Department as a SAMHSA Focus Project Manager at a biweekly rate of \$1,386.54 for 40 hours per week and mileage reimbursement at \$.365 cents per mile not to exceed \$750.00 per contract year. The term of the contract shall be for the period of January 15, 2004 through January 14, 2005.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a letter addressed to U.S. Senator Chuck Grassley, Chairman of the Senate Finance Committee, supporting changes being proposed by the Empowerment Zone, Enterprise Community and Renewal Communities programs across the nation to the Community Renewal Tax Relief Act of 2000 (Public Law 106-554). The proposed changes will help the aforementioned federal designated programs to market and implement the Enterprise Zone Facility Bond Program and the New Markets Tax Credit in a more efficient manner. The purpose of the bonds and tax credits are to make available to the local community low interest loans to implement business and industrial development, thus creating and retaining jobs in the community.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services between the City of El Paso and Andresen and Company, Inc., in an amount not to exceed Six Thousand Five Hundred and No/100ths (\$6,500.00), for the appraisal of the following properties, in fulfillment of the Zaragosa Access Road Improvements Project, a 29th Year (2003-2004) Community Development project:

Parcel 1: A portion of Tract 21B, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas

- Parcel 2: A portion of Tract 21A, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 3: A portion of Tract 23B, Block 1, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 4: A portion of Tract 22B, Block 1, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 5: A portion of Tract 23B1, Block 1, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 6: A portion of Tract 21C1A, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 7: A portion of Tract 21C1B, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 8: A portion of Tract 21F, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 9: A portion of Tract 21C1C, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 10: A portion of Tract 21E, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 11: A portion of Tract 21C1, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 12: A portion of Tract 21C, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas
- Parcel 13: A portion of Tract 21D, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its liens in the amount of Eighteen Thousand One Hundred Eighty Four And No/100ths Dollars (\$18,184.00-\$7,152.00- Loan Note/\$11,032.00 – Secured Grant) against the following described real property:

Lot 13, Block 36, Sun Valley Addition Section Five, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, on file in Volume 1, Page 27, Plat Records, El Paso County, Texas, also known and numbered as 10265 Cermac St., El Paso, Texas

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its liens in the amount of Eleven Thousand Two Hundred Fifty And No/100ths Dollars (\$11,250.00-\$10,275.00- Loan/\$975.00 – Secured Grant) against the following described real property:

Lot 14, Block 31, Clardy-Fox Subdivision Unit IV, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof, on file in Book 7, Page 38, Plat Records, El Paso County, Texas, also known and numbered as 5617 Flower

for consideration paid to the City in full satisfaction of certain promissory notes executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Graduate Intern Employment Contract between the **CITY OF EL PASO** and **IRENE L. LOPEZ**, as a Graduate Intern for the Comptroller Department, at an hourly rate of \$8.25, for a minimum of 20 hours per week, not to exceed 30 hours per week. The term of the contract shall be for the period of December 17, 2003 through June 11, 2004.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for the installation of underground electrical service to the Washington Park Senior Citizen's Center, located at 4321 Delta Drive, El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 277/480 volt, three phase, four wire. One (1) 300 KVA overhead transformer will be installed to service the electrical load.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for the installation of underground electrical service to the Westside Regional Library, located at 551 Redd Road, El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 277/480 volt, three phase, four wire. One (1) 300 KVA overhead transformer will be installed to service the electrical load.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Reception
Licensee:	El Paso Symphony Orchestra
Date:	January 24, 2004
Time:	10:00 p.m. - 12:00 midnight
Area(s):	Lobby
Charge for Space:	\$500.00
Charge for Staff (est.):	\$240.00
Charge for Insurance:	(carry their own)

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to purchase, on behalf of the City of El Paso, the following works, further identified in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office)

1. One (1) color lithograph by John Alexander entitled *Angry Heron*, 2001, 30" x 22", for \$2,000.00, offered by Flatbed Press, purchased through membership funds, and
2. One (1) chine collé photogravure by Keith Carter, entitled *Luna*, 1997, 30" x 22", for \$1,750; one (1) photogravure by Casey Williams, entitled *Texas Landscape I*, 1995, 26" x 19 ½", for \$1,000.00. Both are offered by Flatbed Press, Austin, Texas and are to be purchased through the Robert U. and Mabel O. Lipscomb Foundation Endowment, and
3. Three (3) gelatin silver prints by Burton Pritzker, entitled *Steer #7, Art, Texas*, August 2000, 12" x 8"; *Cow #16, Mason, Texas*, May 2001, 8" x 12"; *Cows #1, Henley, Texas*, May 1996, 12" x 8", offered by Burton Pritzker, Austin, Texas, for \$750.00 each, to be purchased through the Robert U. and Mabel O. Lipscomb Foundation Endowment.

Representative Lozano asked questions of Ms. Becky Duvall-Reese, Director of Museums.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a grant application with the Texas Emission Reduction Plan – Emissions Reduction Incentive Grant, on behalf of the Fleet Services Department, in the amount of SIXTY THOUSAND NINE HUNDRED TWENTY-SEVEN and No/100 Dollars (\$60,927.00) for the replacement of old engines with new low emissions engines in three (3) refuse trucks to be less pollutive and more efficient. There will be matching fees of approximately \$30,000.00.

NOTE: Resolution was revised from "two (2) refuse trucks" to "three (3) refuse trucks".

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DAVID R. KELLEY**, to assist the Information Technology Department as a Database Administrator at a biweekly rate of \$1,923.07 for 40 hours per week. The term of the contract shall be for the period of December 19, 2003 through December 18, 2005.

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***RESOLUTION**

WHEREAS, the City of El Paso is constructing a new regional library to serve the Westside of the City; and

WHEREAS, the El Paso Public Library Association Board of Directors has recommended that the regional library be named in honor of Dorris Van Doren; and

WHEREAS, Dorris Van Doren was an educator, an advocate for good library services, and an avid supporter of the El Paso Public Library System through her participation as member and president of the El Paso Public Library Association Board of Directors and of the Westside Library Friends Group; and

WHEREAS, Dorris Van Doren, who passed away in November, 2001, was the only Director Emeritus of the Library Association; and

WHEREAS, the City Council of the City of El Paso finds that it is appropriate to honor Dorris Van Doren by naming the regional library for her;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the new Westside Regional Library be officially named the Dorris Van Doren Regional Library in honor of her years of dedicated support of the El Paso Public Library System.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the City of El Paso and Helen Jamison, County Elections Administrator of El Paso County, Texas, for services in connection with a special City election to be held on February 7, 2004.

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***RESOLUTION**

WHEREAS, the 101st Congress of the United States, in developing the Forestry Title of the 1990 Farm Bill, found that the health of forests in urban areas and communities is on the decline; these forests, trees, and open spaces improve the quality of life for residents, enhance economic value of property and are more effective than rural trees at reducing the buildup of carbon dioxide due to the added energy savings for urban residents.

WHEREAS, Congress defined the purpose of this program to include improving the understanding of the benefits of preserving existing tree cover; encourage property owners to maintain trees and expand forest cover; provide educational and technical assistance to local organizations in maintaining and expanding forest cover; provide competitive matching grants to local units of government and other approved organizations for urban forestry projects; implement a tree planting program; promote the establishment of demonstration projects to illustrate the benefits of forest cover; and enhance technical skills of individuals involved in establishing or maintaining urban forest.

WHEREAS, the City of El Paso Parks & Recreation Department is eligible to participate in this program and has successfully submitted a grant application in the amount of \$8,340.00, to enhance the technical skills of tree care for its personnel, and that the Parks & Recreation Department and the Street Department commits to providing its share of the project costs through "in-kind" services as described in the grant application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

That the Mayor be authorized accept, on behalf of the Parks and Recreation Department and the Streets Department, an "Urban Forestry Partnership Program" grant in the amount of \$8,340 from the Texas Forest Service and to sign any contracts or related documents for the proposed grant amount or any lesser amount that may be approved by the Forest Service. Matching funds through in-kind services in the amount of \$8,340 are required.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to accept a grant award and sign any documents that may subsequently be required from the Wal-Mart Foundation through the Sam's Club, 11360 Pellicano, for one Safe Neighborhood Heroes grant in the amount of \$1,500.00, for the purpose of obtaining equipment and supplies to be used in connection with the Police Explorer Scout programs and activities that are supported by the Police Department. No matching funds required.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lease Amendment by and between the Advocacy Center for the Children of El Paso and the City of El Paso to additional offices to the space utilized by the Crimes Against Children section of the Police Department.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an agreement between the City of El Paso and the Wells Fargo Sun Bowl Association relating to traffic control and actions associated with the El Paso Las Palmas Sun Bowl on Wednesday, December 31, 2003, in the Sun Bowl Stadium.

*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December, 22, 2003, the notice to set a public hearing to be held on January 27th, 2004 to determine if the property located at 150 Cherry Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 15th, 2003. The owners of record as of November 7th, 2003, Juan and Maria Flores, 150 Cherry Street, El Paso, Texas 79915, have been notified of the violations at this property. No delinquent taxes.

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of January, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 8464 Roseway Drive (Front), in El Paso, Texas, which property is more particularly described as:

Tract: 6 (EXC W 159.0 Ft. of N 169.75 Ft.), Fruitvale

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, The Estate of Frances Jenks, Deceased, 8464 Roseway Drive, El Paso, Texas 79907, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December, 22, 2003, the notice to set a public hearing to be held on January 27th, 2004 to determine if the property located at 7245 Barker Road, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 19th, 2003. The owner of record as of September 29th, 2003, Aurora Loan Services, Inc., ATTN: Claims Department, P. O. Box 1706, Scottsbluff, NE 69363-1706, has been notified of the violations at this property. No delinquent taxes.

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*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Villa Del Este Unit Four
Owner/Developer: FS Holding I, LTD.
Consultant: Conde Inc.

Street Improvements:

- Valor Court - from the east property line of Saul Kleinfeld Drive to the end of cul-de-sac
- Lodge Court - from the east property line of Saul Kleinfeld Drive to the end of cul-de-sac
- Campfire Lane - from the east property line of Saul Kleinfeld Drive to the end of T-hammer cul-de-sac
- Passage Place - from the north property line of Campfire Lane to the end of T-hammer cul-de-sac
- Canopy Place - from the north property line of Campfire Lane to the end of T-hammer cul-de-sac

Drainage Improvements:

- 30 ft. Wide P.S.B. and Drainage R.O.W - between Lots 39 and 40, Block 21; 259 ft. x 6 ft. high Rock Wall Fence located at the east and the west sides of the easement; and 2-18 Double Swing Gates
- 20 ft. Wide Drainage R.O.W.-between Lots 25 and 26, Block 21; 50 ft. Wide Drainage R.O.W. north of Lot 26, Block 21; 227 ft. x 10 ft. Concrete Flume; 2- Concrete Collars; 17 ft. of 42" R.C.P. 25 ft. of 48" R.C.P.; 2-Concrete Thrust Blocks; 276 ft. x 6 ft. high Rock Wall Fence located at the east and the west sides of the easement; 1-18 ft. Double Swing Gate; and 1-3 Grate Drop Inlet Type III

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*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, the request for authorization to allocate \$2,000 from District 2 Discretionary Funds to the Fire Department and Local 51 to assist with a Christmas Event in central and northeast El Paso.

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*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, the request for authorization to allocate \$1,000 from District 8 Discretionary Funds to the Fire Department and Local 51 to assist with a Christmas Event in Southwest El Paso.

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*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Auto Technician I (1)

*Motion made, seconded and unanimously carried to approve the following provisional appointments in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Equipment Operator II (1)

*Motion made, seconded and unanimously carried to approve the request from Raymundo Martinez of the Street Department for Special Sick Leave.

*Motion made, seconded and unanimously carried to re-appoint Yvonne Valdez to the Flood Damage Prevention Board of Appeals by Representative Paul J. Escobar, District 6.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Victor E. Araujo in the amount of \$3,786.95, overpayment of 2003 taxes.
(PID #E222-999-1520-9700)
- B. Lereta Corp. in the amount of \$3,837.91, overpayment of 2001 taxes.
(PID #M327-999-0140-2400)

Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2003-226 Street Sweepers, High Dump, 4-Yard Capacity.

Mr. Byron Johnson, Director of Purchasing, recommended that Council delete the item.

Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to delete Bid No. 2003-226 Street Sweepers, High Dump, 4-Yard Capacity

Award to:	STM Equipment, Inc. Arlington, Texas
Item (s):	#1, Options O-1, O-2, O-6, O-8, O-10 and O-12 Trade-ins T-2, T-4 and T-11
Amount:	\$1,281,892.00 \$ 22,500.00 Less Trade-In Allowance \$1,259,392.00
Department:	Streets
Funds available:	508029-27203-04250201-PMB0002130 508006-27203-04250201-PMB0002130 502300-01101-32010200
Funding source:	City Equipment NOC, Certificates of Obligation \$1,136,947.00 City Equipment NOC, Certificates of Obligation \$ 67,315.00 Street Department Operating Budget \$77,630.00
Total award:	\$1,281,892.00

The Fleet Services, Streets and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase street sweepers. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. Bidder also offers a prompt payment discount of ½% if invoices are paid within ten (10) days of receipt.

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-223 AIRPORT

Transfer of funds to cover acquisition of truck mounted stripping machine.

Increase	\$200,000	to	62620020/P50000441022/508029	Hvy/OffRdEq
Increase	\$200,000	to	62620020/P50000441022/407001	IntrafndTrf In
Increase	\$200,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$200,000	to	62620018/P50000241021/507001	IntrafndTrf Out

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*Motion made, seconded and unanimously carried to approve budget transfer BT2004-227 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$21,840 to fund construction of school flashers for the El Paso Independent School District. Funding source is reimbursed expenditures from the school district.

Increase	\$21,840	to	31255005/PPW005227691/405067	Reimb Exp
Increase	\$21,840	to	31255005/PPW005227691/508027	Construction

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*Motion made, seconded and unanimously carried to approve budget transfer BT2004-233 PARKS AND RECREATION

This Budget Transfer requests a new appropriation to replace carpeting in the classrooms at Wellington Chew Senior Center. A water line break caused extensive damage to existing carpeting.

Increase	\$5,000	to	51510214/P50022316323/407001	Est Rev
Increase	\$5,000	to	51510214/P50022316323/508003	Bldg Imprvmts

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*Motion made, seconded and unanimously carried to approve the request of Estela Baca to block of Navarrette Circle between 1006 and 1013 on December 21, 2003 from 4:00 p.m. to 8:00 p.m. for a religious celebration (matachines). Approximately 15 persons will take part and 25 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices".

PERMIT NO. 03-192 [Estela Baca]

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Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.24 (Charitable Solicitations), to revise the duties of the Charitable Solicitations Commission, and to revise procedures for application for Charitable Solicitation Permits, for Financial Information and Reports to be submitted by applicants and permittees, for denial of permits, and for appeal of denial of such permits.

PUBLIC HEARING WILL BE HELD ON FRIDAY, JANUARY 2, 2004 FOR ITEM A

- B. An Ordinance changing the zoning of Block 27, Tract 5, Ysleta Grant, El Paso, El Paso County, Texas (7565 Alameda) from C-3 (Commercial) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON03-00071. Applicant: Leonardo Raggo / Representative: Luis Sariñana, 516 ½ Mauer, El Paso, TX 79915.

PUBLIC HEARING WILL BE HELD ON TUESDAY, JANUARY 6, 2004 FOR ITEM B

Representative Austin provided documents (on file in the City Clerk's office).

Representatives Rojas, Cook, Power, Austin, and Escobar commented.

Ms. Natalie Prise, Interim Director of Community and Human Development, provided remarks.

Representative Cook moved to direct Community Development Staff to work with the Coalition for the Homeless to form a Community Taskforce to develop a City approved Plan to end chronic homelessness in 10 years consistent with the focus of HUD funding and to present the plan to council within 90 days. Representative Austin seconded.

Representative Austin requested that Representative Cook amend his motion to include that the Mayor be authorized to form an Ad Hoc Taskforce of Coalition for the Homeless nominated entities . . .

Representative Cook requested that Community Development staff work with already established organizations rather than setting up a Taskforce Committee.

Representative Cook accepted Representative Austin's amendment and amended the motion further to add "that the plan be presented to City Council within 90 days".

Mayor Joe Wardy clarified that the City would approve the individual as suggested by the Coalition for the Homeless.

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign, on behalf of the City of El Paso as co-applicant, for the preliminary and final plat applications for the Franklin Hills Subdivision Unit 4, Franklin Hills Unit 5 and Franklin Hills Unit 6; to sign any documents necessary to have the subdivisions properly processed; and to sign any other documents necessary to record the subdivisions.

Mr. Rudy Valdez, Chief Urban Planner, explained that the developers must include the City as part of their application process due to the City owning those properties.

Motion made by Representative Austin, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....
Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to approve the request to terminate Contract No. 2003-222 C4, Item #2 with North American Waste Assistance, LLC for Pool Chemicals for default pursuant to Clause No. 18B of the Contract, an item titled Termination for Default, whereby the City reserved the right to terminate the Contract for default.

The user Department was notified and a new solicitation will be issued.

Mr. Byron Johnson, Director of Purchasing, explained that the company had declined to accept the award.

.....
Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Contract of Sale between the CITY OF EL PASO and the CITY OF SUNLAND PARK, NM for the sale of three (3) 1992 Elgin F-7000 Street Sweepers at a total sales price of TWENTY TWO THOUSAND, FIVE HUNDRED DOLLARS (\$22,500.00).

NOTE: This Resolution was considered after Bid No. 2003-226 Street Sweepers, High Dump, 4-Yard Capacity STM Equipment, Inc.

RESOLUTION

WHEREAS, the Commission on Accreditation for Law Enforcement Agencies (CALEA) was formed for significant purposes such as the betterment of law enforcement agencies and the increase in coordination and cooperation between agencies;

WHEREAS, CALEA is the only independent accrediting authority established by the four major national law enforcement executive associations;

WHEREAS, the national status of accreditation would mean that the El Paso Police Department has established the highest standards associated with training, operations, policy and procedure; and

WHEREAS, the first stage of the accreditation process is to purchase an application packet at a cost of \$250.00, and such purchase will enable the Police Department to analyze the merits and additional costs that may need to be incurred to meet or comply with the requirements associated with the accreditation process; and

WHEREAS, the request for authorization to enter into necessary agreements with CALEA for the accreditation process will be separately submitted to the City Council for approval.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO TEXAS, that:

That the City Council supports the Police Department's proposal to purchase an application from the Commission on Accreditation for Law Enforcement Agencies and the Department initiative to achieve CALEA accreditation to enhance quality policing in the City of El Paso.

Interim Police Chief Richard Wiles, asked for the Council's support to allow the Police Department to begin the accreditation process with CALEA. He noted that the City of El Paso was the second safest City in the nation and that the accreditation would be very productive to the Department and City.

Representative Lozano moved to approve. Representative Cushing seconded.

Mayor Joe Wardy explained that the El Paso County Sheriff's Department was the first Sheriff's Department to be accredited in the State of Texas and El Paso would be the first City in Texas and/or the Southwest to have both Sheriff and Police Departments accredited in the State of Texas.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

.....
Motion made by Representative Cook, seconded by Representative Austin and carried move to the forefront of the regular agenda the following Ordinance:

AYES: Representatives Austin, Cushing, Lozano, Power, Escobar, Rojas and Cobos

NAYS: Representatives Cook

ORDINANCE 15629

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE EL PASO MUNICIPAL CODE BY ADDING CHAPTER 2.102 (NEIGHBORHOOD ASSOCIATION RECOGNITION); AMENDING TITLE 20 (ZONING) OF THE EL PASO MUNICIPAL CODE BY AMENDING CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS) SECTION 20.04.520 (NOTICE-METHOD) TO ADD SUBSECTION 20.04.520.B.5 AND SECTION 20.04.390 (BASIC DATA PACKAGE – CONTENTS) TO ADD SUBSECTION 20.04.390.F. THE PENALTY IS AS PROVIDED IN 20.68.**

Ms. Richarda Duffy Momsen, City Clerk, provided copies of the revised Ordinance to Council Members.

Mr. Oscar Gonzalez, Neighborhood Initiatives Liaison, gave a Powerpoint presentation (on file in the City Clerk's office) and answered questions from and responded to comments made by the Council Members.

Representative Austin suggested "Neighborhood Initiatives Liaison" be defined as "that person designated by the Director of Planning, Research and Development".

Mr. Matt Watson, Assistant City Attorney, gave legal advice.

The following individuals spoke in favor of the Ordinance.

Ms. Kay Licon, resident;

Mr. Paul Parks, Coronado Neighborhood Association Chair;

Ms. Lucinda Cuellar, Borderland Community Development Association;

Ms. Francisca O. Sanchez, Golden Hills Neighborhood Association;

Ms. Concepcion Perez, Golden Hills Neighborhood Association;

Mr. Jorge Almada, Manhattan Heights resident;

Mr. Joe Lopez, Vice President of the Manhattan Heights Neighborhood Association;

Ms. Laure Searls, Save the Valley;

Ms. Rosa Carrillo, South Central Neighborhood Association;

Ms. Cheri Dorsey, President of Album Park Preservation Association;

Mr. Art Juarez, Vice President of El Paso Lower Valley Association;

Mr. Esteban Sansore, President of Lakeside Neighborhood Association;

Mr. Don Newton, City of Albuquerque Planning Department, Office of Neighborhood Coordination;

Ms. Aurelia Rocha, citizen, commented in Spanish;

Representative Austin requested that the Ordinance language be revised to include "and the RNA's by-laws" when defining "member".

Mr. Watson suggested the language under subsection E read as follows: "member means each of the dwelling units or business entities that coordinate pursuant to this Ordinance to former recognized Neighborhood Association in compliance with Association by-laws."

Representative Austin concurred and suggested the following additional revision: "for all RNAs that include within their geographic area, any portion of the location".

Ms. Richarda Momsen, City Clerk, read into the record an email, on file in the City Clerk's office, sent by Mr. Jose Escobedo raising a concern about the Ordinance.

Representative Cook moved to approve. Representative Austin seconded.

Ms. Lisa Elizondo, City Attorney, noted that the Ordinance would be approved with the discussed amendments.

Representative Rojas requested that Representative Cook amend the motion to include "abutting and within 1,000 feet of" into the Ordinance language.

Representative Cook declined and defined "geographic area", as per the Ordinance.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cook, seconded by Representative Austin, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised.

.....
*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, an Ordinance vacating a portion of a sixteen foot wide alley within Block 91, Alexander Addition, City of El Paso, El Paso County, Texas.
.....

ORDINANCE 15630

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO MUNICIPAL CODE, BY ADDING INFILL DEVELOPMENT AS A USE PERMITTED BY SPECIAL PERMIT IN CHAPTERS 20.12 (R-1, R-2, R-2A, R-3 AND R-3A RESIDENTIAL DISTRICTS), 20.14 (R-4 AND R-5 RESIDENTIAL DISTRICTS), 20.20 (A-1 APARTMENT DISTRICT), 20.22 (A-2 APARTMENT DISTRICT), 20.24 (A-3 APARTMENT DISTRICT), 20.28 (A-O APARTMENT/OFFICE DISTRICT), 20.30 (A-3/O APARTMENT/OFFICE HIGH DENSITY DISTRICT), AND 20.32 (A-M APARTMENT AND MOBILE HOME PARK DISTRICT), AND AMENDING CHAPTER 20.08 (GENERAL DESIGN AND USE REGULATIONS) TO ADD USE RESTRICTIONS FOR AUTHORIZED INFILL DEVELOPMENT, THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE CODE.**

Ms. Patricia Adatao, Deputy CAO for Building and Planning Services, explained the implementation of infill development and amended the Ordinance language and read the amended language into the record. She explained the special use permit overlay for infill development and the pertinent requirements that apply. She stated that the DCC (Development Coordinating Committee), CPC (City Plan Commission), and BZAC had recommended unanimously in favor of the amendment.

Representative Cook requested further Ordinance language modification, regarding the waiver, to allow the DCC (Development Coordinating Committee) to make their recommendation prior to City Council approval.

Mr. Ray Aduato, El Paso Association of Builders, spoke in favor of the Ordinance

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cushing, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised.

.....
ORDINANCE 15631

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 1-3, BLOCK 21, EAST EL PASO SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS (CEBADA STREET) FROM C-4 (COMMERCIAL) TO A-3 (APARTMENT). THE PENALTY IS AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the zoning change request was for a single-family residence adjacent to the business and stated, for the record, that the Planning, Research and Development Department had received one letter in opposition; however, the writer stated he was opposed to the building of apartments.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Power, Rojas and Cobos
NAYS: None Absent: None

Representatives Cushing and Escobar were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15632

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00037 TO SATISFY PARKING REQUIREMENTS FOR PARCEL 1, DESCRIBED AS A PORTION OF LOTS 1 & 2, BLOCK 6, VAL VERDE; BY ALLOWING OFF-SITE, OFF-STREET PARKING ON PARCEL 2, DESCRIBED AS A PORTION OF LOTS 8 & 9, BLOCK 6, VAL VERDE; ALL WITHIN EL PASO, EL PASO COUNTY, TEXAS (4900 BLOCK OF ALAMEDA AVENUE) PURSUANT TO SECTION 20.42.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the zoning change request for a proposed restaurant/shopping center, DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended approval and no opposition was noted.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Lozano, Cook, Power, Rojas and Cobos
NAYS:	None
Absent:	None

Representatives Austin, Cushing and Escobar were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15633

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00050, TO ALLOW FOR A CHURCH ON A SITE OF LESS THAN THREE ACRES ON LOTS 1 & 2, BLOCK 1, BRIGHTON WEST, EL PASO, EL PASO COUNTY, TEXAS (500 BLOCK OF SAN SABA) PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the zoning change request was to allow for a church on a site less than three acres and that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended unanimous approval and no opposition was noted.

Mr. John Needham, 552 San Saba, spoke in opposition to the Ordinance.

Representative Cobos questioned City staff and moved to approve the Ordinance. Representative Lozano seconded.

Representative Cook spoke.

Representative Austin asked questions of City staff and requested that the Ordinance be postponed to coordinate with a future public hearing regarding the manner in which church or religious properties would be handled, as per federal law. She moved to postpone the Ordinance. There was no second.

Representative Power questioned City staff.

Mr. Garry Colapret, applicant/owner, spoke in favor of the Ordinance.

Mr. Ray Gilbert, citizen, spoke in opposition to the Ordinance.

Representative Escobar commented.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cobos, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: Council Members Austin and Power Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, an Ordinance granting Special Permit No. ZON03-00051, to allow for a planned residential development on a Portion of Tract 8B and a Portion of Tract 5G, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas (South of Borderland Road and East of Strahan Road) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: R-2A (Residential) Applicant: Haciendas Adobe Development, L.P./ Representative: Yolanda Giner, 4694 N. Mesa, El Paso, TX 79912.
.....

ORDINANCE 15634

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 2-G-1, BLOCK 14, VISTA DEL SOL UNIT 10, REPLAT C, EL PASO, EL PASO COUNTY, TEXAS (10925 MARCONI LANE) FROM P-I (PLANNED INDUSTRIAL) TO M-1 (MANUFACTURING). THE PENALTY IS AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended approval and that there was no opposition present at those meetings.

Representative Rojas commented and questioned Mr. David Holguin, EPG Planning Consultants and Mr. Bob Veytia, Canyon State Oil Company.

Assistant Fire Chief Michael Widtfeldt provided explanation regarding the site's fire alarm and fire sprinkler systems. He commented that Canyon State Oil Company must comply with Fire and Building Codes prior to the company receiving their permit.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Rojas, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Rojas moved to reconsider the Ordinance so as to include the following two documents into the record, with the Mayor's approval.

- 1. ***Letter from Canyon State Oil Company, Inc.***

December 15, 2003

**Representative Vivian Rojas
Eastridge-Mid Valley District No. 7
2 Civic Center Plaza, 10th Floor
El Paso, Texas 79901-1196**

Dear Representative Rojas;

Thank you for giving us an opportunity to provide you with an introduction to Canyon State Oil Company, Inc.

CSO was founded 27 years ago in Phoenix, Arizona, with three employees and one customer. Professionalism, integrity and a dedication to success have grown CSO into the Southwest region's leading petroleum distributor. With 11 distribution centers, 200+ employees, and a state-of-the-art transportation fleet, we provide the finest products and services to a broad base of over 4,000 customers located in the West Texas, Arizona, Southern California, Southern Nevada, Utah, New Mexico, and Colorado region.

CSO is a distribution company. Our business is comprised of sales, marketing, warehousing, and product delivery functions. We leave it to a select group of key suppliers to perform the most complex functions of refining, manufacturing, blending, and packaging of our products at their respective facilities.

CSO is a company of trained professionals. Our employees have received extensive training and have achieved certification in EPA, OSHA, MSHA, USDOT, and RSPA regulations. Our new El Paso facility has been designed to conform in strict compliance with all current and proposed local, state, and federal regulations. The CSO Quality Assurance Master Plan includes specific monthly training and instruction for all CSO personnel in Safety, Sensitivity, Spill Prevention Control and Countermeasures, Emergency Response, and Security/Terrorism Alert programs.

The firm dedication to our customers, the community, and the environment has contributed to an unblemished 27-year record of compliance in all 11 CSO locations.

We are proud of our nine-year business association in the City of El Paso, and look forward to improving this contribution as a valued employer in the community at our new facility.

Please don't hesitate to contact Mr. Bob Veytia, Rod Burgett or me, should you have any further questions.

Kindest Regards,

**Chris Lindblom
General Manager,
Branch Locations
Canyon State Oil Co., Inc.**

2. Email from the El Paso Fire Department, Fire Marshal Division, Lt. Ricardo Flores

During the preliminary walk through inspection of the proposed site for Canyon State Oil Co., the Fire Department took note of the following items:

1. *The building at the new location is constructed of a more fire resistive/non combustible material.*
2. *The building is fully protected by a fire sprinkler system that is currently in service and meets fire code.*
3. *An active fire alarm system is in place throughout the majority of the building.*
4. *A public fire hydrant is located at the entrance of the property in question.*
5. *Indoor storage of oil products would be limited to less than 12ft in height, therefore limiting the hazard to firefighters and allowing for an exemption of Chapter 23 High Pile Storage code requirements.*
6. *Outdoor storage of diesel products would be the most severe potential fire hazard. Diesel is a combustible liquid and not a flammable liquid. The distinction is a flash point of 100°F. Please, allow me to qualify this further that a flammable liquid is always Class I (flashpoint below 100°F) and combustible liquids are Class II (above 100°F and below 140°) and Class III (above 140°F). Diesel fuel can fit in either Class II or Class III because there are many grades of diesel fuel with flash points up to 160°F.*

With that said, if these are Class III storage tanks, then there is no specific requirements for spacing the tanks.

Class 1 and Class 2 storage tanks require 50ft separation between tanks and any buildings or property lines.

7. *Both indoor and outdoor storage would require secondary containment systems to control spills.*

The highlighted documents above were included in the Minutes at the request of Representative Rojas with the approval of Mayor Joe Wardy.

.....
ORDINANCE 15635

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00055, TO ALLOW FOR REPACKAGING OF OIL AND LUBRICANTS ON LOT 2-G-1, BLOCK 14, VISTA DEL SOL UNIT 10, REPLAT C, EL PASO, EL PASO COUNTY, TEXAS (10925 MARCONI LANE) PURSUANT TO SECTION 20.46.040.F (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Please see above for comment.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Rojas, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Cook, seconded by Representative Power and carried to postpone until the City Council Meeting scheduled for Friday, January 2, 2004, an Ordinance changing the zoning of Portions of Tracts 13 & 14, Lakeside Village, El Paso, El Paso County, Texas (7046½ Alameda Avenue) from C-1 (Commercial) to C-3 (Commercial) and imposing certain conditions. The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. ZON03-00056. Applicant: Reuben Eli Ramos/Representative: Adrian Hernandez, P. O. Box 11237, El Paso, TX 79995.

AYES: Representatives Austin, Cushing, Cook, Power, Escobar, Rojas and Cobos
NAYS: Representative Lozano

Mr. Rudy Valdez, Chief Urban Planner, explained that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended approval; however, he noted that the case would be considered as a 211.006(d) due to the number of individuals in opposition. He stated that a petition with 100 signatures had been submitted to the Research, Planning and Development Department. He answered questions from and responded to comments made by the Council Members. He provided information regarding the proposed zoning change via the overhead for public information.

Representative Lozano questioned the names and addresses included in the petition.

Mr. Esteban Sansore, Lakeside Neighborhood Association, spoke in support of the Ordinance.

Mr. Paul Grajeda, attorney representing Lakeside Shopping Center property owners, spoke against the Ordinance and provided copies of documents to the Council Members (on file in the City Clerk's office). He answered questions from and responded to comments made by the Council Members.

Representative Cook moved to postpone the item until the first City Council meeting in January, 2004 to allow City legal staff time to research issues brought up by Mr. Grajeda. There was no second.

Mr. Matt Watson, Assistant City Attorney, requested time to research issues brought up by Mr. Grajeda.

Representative Lozano asked questions of Mr. Grajeda and moved to approve. There was no second.

Mr. Watson requested that further discussion on the matter be held in Executive Session and answered questions of the Council.

Representative Power moved to postpone. There was no second.

Representative Cobos explained that the Ordinance was a 211.006(d) item requiring seven affirmative votes of the Council.

Representative Power seconded Representative Cook's motion to postpone until the first meeting in January, January 2, 2004.

Mr. Ruben Ramos, property owner, commented in favor of the Ordinance.
.....

Motion made by Representative Cushing, seconded by Representative Cook and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, an Ordinance changing the zoning of Tract 10, Section 9, Block 81, TSP 2, T & PRRC SURVEYS, El Paso, El Paso County, Texas (Hondo Pass Drive east of Hyde Park Place) from A-M (Apartment-Mobile Home Park) to C-1 (Commercial). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. ZON03-00062. Applicant: Housing Authority of the City of El Paso/ Representative: Dorado Engineering, Inc., 2717 E. Yandell, El Paso, TX 79903.

Representative Cobos was not present for the vote.

Representative Cook explained that the representative from Dorado Engineering could not be present and requested that the matter be postponed.

Mr. Rudy Valdez, Chief Urban Planner, stated that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended approval and no opposition had been noted by the Planning, Research and Development Department. He explained the zoning change request was for a proposed community center and added that the Housing Authority had requested the C-1 zoning to allow for retail/commercial use.

Representative Cushing commented on the C-1 zoning change request and that the zoning application was not appropriate for retail/commercial use on that property.

Representative Cook provided background information regarding the property.

.....
ORDINANCE 15636

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 4A & 4B, BLOCK 3 AND TRACTS 14B & 14B2, BLOCK 4, EL PASO, EL PASO COUNTY, TEXAS (4903 MONTOYA) FROM R-1 (RESIDENTIAL) TO R-2 (RESIDENTIAL). THE PENALTY IS AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that the zoning change request was to permit an expansion of the home currently on the property and noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended approval. He stated that there was no opposition to the case; however, the Department had noted two letters in support and a petition with five signatures in support of the request.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Austin, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

ORDINANCE 15637

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT ZON03-00040, TO ALLOW FOR A CHURCH ON A SITE OF LESS THAN THREE ACRES ON TRACTS 5B AND 5C, BLOCK 81, SECTION 9, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (SOUTHWEST CORNER OF ANKERSON DRIVE AND HONDO PASS DRIVE) PURSUANT TO SECTION 20.36.040.E (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained the zoning change request as a church on less than three acres and noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended approval with no opposition to the request.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar and Rojas
NAYS: None Absent: None

Representatives Power and Cobos were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15638

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 46 - 48, BLOCK 67, FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1147 MONTANA AVENUE) FROM A-2 (APARTMENT) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, explained that there was no opposition to the zoning change request and added that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended approval. He explained that the zoning change was to permit for offices.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15639

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00020, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 46 - 48, BLOCK 67, FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1147 MONTANA AVENUE), PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Please see above for comment.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Austin, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, an Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by deleting Sections 20.10.040(N), 20.10.080(3), 20.12.040(K), 20.12.080(2), 20.14.040(K), 20.14.080(3), 20.18.060(J), 20.20.040(H), 20.20.080(3), 20.22.040(G), 20.22.080(3), 20.24.040(G), 20.24.080(3), 20.28.040(G), 20.28.080(3), 20.30.040(G), 20.30.080(A), 20.32.040(J), 20.32.080(5), 20.36.040(E), 20.36.080(C), 20.38.040(A), 20.38.080(C), 20.40.040(A), 20.40.080(D), 20.42.040(A), 20.42.080(D), 20.52.060(D), 20.52.210(A), 20.54.060(F), 20.54.165(1), 20.56.060(F), 20.56.165, 20.61.090(B), and 20.61.060(D), each requiring a Special Permit for a church on a site less than three acres. The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code.

.....
Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to postpone until the City Council Meeting scheduled for Friday, January 2, 2004, a Resolution approving Detailed Site Development Plan No. ZON03-00049, for Lot 10, Block 4, Hueco View Acres, El Paso, El Paso County, Texas (George Dieter Drive South of Turner Road), pursuant to a Special Contract imposed by Ordinance No. 009126. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Texas Conference Association 7th Day Adventist / Representative: Brock & Bustillos, Inc.; 417 Executive Center Boulevard, El Paso, TX 79912.

Representative Power questioned Mr. Rudy Valdez, Chief Urban Planner, explained that he had not received a copy of the Plan for the proposed zoning change and requested the item be postponed until January 2, 2004 meeting. Representative Cobos seconded. Representative Cobos withdrew his second to allow for public comment.

Mr. Valdez explained that the site plan was a requirement as a part of the Special Contract on the zoning and that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended approval with no opposition noted by the Department.

Mr. Oscar Perez, Brock & Bustillo representative, explained that the zoning as a proposed Texas Conference Association 7th Day Adventist school.

Representatives Cushing and Lozano were not present for the vote.

*Motion made, seconded and unanimously carried to postpone until the City Council Meeting scheduled for Monday, December 22, 2003, an Ordinance authorizing the City of El Paso to enter into a Joint Use Agreement with Wal-Mart Store East, Inc. for the purpose of granting each party certain easement rights and to undertake certain obligations in connection with a portion of Lot 5, Block 11, Vista Del Sol Unit 2, City of El Paso, El Paso County, Texas and a portion of Tract 3, Block 1, Ascarate Grant, City of El Paso, El Paso County Texas.

.....
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structures located on the property at 234 Dolan Street, in El Paso, Texas, which property is more particularly described as follows:

Lots: 20 and the South ½ of 19, Block 3, Pasadena, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 3, Page 36, Plat Records of El Paso County, Texas

are dilapidated, substandard, and unfit for human habitation; are a hazard to public health, safety, and welfare; do not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Enrique Diaz and Celia Diaz Franco, 2190 Kearney Avenue, San Diego, CA 92113-1203, record Owners, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on December 16, 2003; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structures located on said property are unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. Since the owners have failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structures cannot be repaired.
1. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the Buildings be demolished within (30) days; and
 - b. That the premises be cleaned of all weeds, trash, debris, and junked vehicles removed within (30) days; and
 - c. That the Owners of said Buildings are hereby ordered to comply with all requirements of the Resolution; and
 - d. The owners are advised that in order to obtain a new certificate of occupancy, the entire buildings and its service systems must be brought into compliance with the current codes.

- e. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all weeds, trash, debris; and remove the junked vehicles; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall demolish the Buildings and clean the premises of all weeds, trash, debris, and remove junked vehicles at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with demolishing and maintaining the premises clean of all weeds, trash, debris, and removing the junked vehicles; and
5. That the costs incurred by the City in connection with demolishing and maintaining the premises clean of all weeds, trash, debris, and removing the junked vehicles shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgagees or lienholders to restore the Buildings so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s).

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representatives Cushing and Lozano were not present for the vote.

.....
ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

SPORTS PROGRAMMING

DEPARTMENT ID: 51010215, ACCOUNT 502115

1. **CONTRACTOR:** Noel Diaz, Scorekeeper Youth Sports
 DATES: December 17, 2003 thru August 31, 2004
 RATE PER GM: \$6.25
 MAXIMUM AMT: \$2,000.00
 CONTRACT: **2003/2004-083**

ARMIJO RECREATION CENTER

DEPARTMENT ID: 51510065, ACCOUNT 502214

2. **CONTRACTOR:** Joel Lee Alvarez, Karate, Kick Boxing, & Aerobics Instructor
 DATES: December 17, 2003 thru February 26, 2004
 RATE PER CL: \$7.00
 MAXIMUM AMT: \$280.00
 CONTRACT: **2003/2004-084**

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Stone Ridge Unit Four
Owner/Developer: RADCO Development LTD, Co.
Consultant: Brock and Bustillos Engineering

Street Improvements:

Physician Way - from the west property line of Zaragosa Road to the northeast subdivision boundary line; 684.0 ft. x 5.0 ft. Sidewalk; and 250.0 ft. x 1.5 ft. Stem Wall

Drainage Improvements:

Surface Drainage
.....

Motion made by Representative Austin, seconded by Representative Power and unanimously carried to approve the recommendation by the Bond Advisory Committee to move the following projects from the indicated priority year to program year 3 (current year):

No.	Name	Budget	Dist	Orig. Yr
1. -	Indian Heights	\$ 1,000	5	7
2. -	Mundy	\$ 1,000	8	8
3.-	Ojo de Agua	\$ 1,000	1	6
4.-	Calendar Park	\$ 2,000	8	8
5.-	Mountain View	\$ 4,000	2	7
6.-	Transmountain Optimist Desert Downs	\$ 4,000	2	7
7.-	White Spur	\$ 5,000	1	6
8.-	Walter Clarke	<u>\$15,000</u>	6	7
Total		\$33,000		

Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to approve the recommendation by the Bond Advisory Committee to combine the budget for four Zoo projects into one overall budget and bid the Zoo Support Facility projects as such.

No.	Name	Budget
1.-	Convert Pool @ Washington Park	\$2,450,000
2.-	Storage Building - Animal Holding	\$ 435,000
3.-	Administration Building	\$ 527,000
4.-	Animal Quarantine	\$ 608,000
Total		\$4,020,000

Motion made by Representative Cobos, seconded by Representative Lozano and carried to postpone to the City Council Meeting scheduled for Monday, December 22, 2003, the discussion and action on BOAC recommendation to delete Sabrina Park (Sabrina Lynn) from the listing of priority projects as approved by Council on April 4, 2000 and move project funding of \$250,000 to park proposition contingency.

AYES: Representatives Cushing, Lozano and Cobos

NAYS: Representatives Austin, Cook, Power, Escobar and Rojas

Motion to postpone failed.

Motion made by Representative Escobar, seconded by Representative Cook and carried to approve the BOAC recommendation to delete Sabrina Park, (Sabrina Lynn), with the finding of extraordinary circumstances, from the listing of priority projects as approved by Council on April 4, 2000 and move project funding of \$250,000 to park proposition contingency.

AYES: Representatives Austin, Cushing, Cook, Power, Escobar, Rojas and Cobos

NAYS: Representative Lozano

Motion to approve passed.

Mr. Ray Gilbert, citizen, questioned the deletion of the Sabrina Park project and the addition of Rancho del Sol Park.

Representative Escobar moved to approve the agenda item. Representative Lozano seconded.

Representatives Cushing, Escobar, Power asked questions of Ms. Teresa Quezada, Capital Improvement Program Administrator, and made remarks.

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:07 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

A. Bashar Abugalyon vs. City, Cause No. 2003-4896, Our File No. 03-S-57. (551.071)

B. Eddie E. Bernal vs. El Paso City-County Health and Environmental District, Cause No. 99-1901, Our File No. 99-S-33. (551.071)

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to adjourn the Executive Session at 1:48 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
Motion made by Representative Cook, seconded by Representative Cobos and carried that the City Council rejects the settlement offer in the case styled Bashar Abugalyon vs. City, Cause No. 2003-4896, Our File No. 03-S-57.

AYES: Representatives Austin, Lozano, Cook, Power, Escobar, Rojas and Cobos

NAYS: Representative Cushing

.....
No action was taken on the following executive session item: Discussion and action on Eddie E. Bernal vs. El Paso City-County Health and Environmental District, Cause No. 99-1901, Our File No. 99-S-33. (551.071)

.....
Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to adjourn this meeting at 1:51 p.m.

APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk